

## Message Text

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ORIGIN COA-02

INFO OCT-01 ARA-11 EUR-25 EA-11 ADP-00 COME-00 L-03 CG-00

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FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

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AMEMBASSY PARIS

INFO AMEMBASSY LIMA

AMEMBASSY QUITO

AMCONSUL VANCOUVER

UNCLAS STATE 051234

O. E. 11652: N/ A

TAGS: EFIS, XP

SUBJ: REQUEST FOR INFORMATION ON HOST GOVERNMENT CAPABILITY  
TO REGULATE TUNA FISHING IN EASTERN PACIFIC

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1. CONSERVATION PROGRAM OF INTER- AMERICAN TROPICAL TUNA COMMISSION CAN ONLY FUNCTION SUCCESSFULLY IF MEMBER AND COOPERATING NON- MEMBER COUNTRIES WHICH PARTICIPATE ON SIGNIFICANT SCALE IN YELLOWFIN TUNA FISHERY OF EASTERN TROPICAL PACIFIC HAVE LEGAL AND TECHNICAL CAPABILITY FOR EFFECTIVELY REGULATING ACTIVITIES OF THEIR VESSELS. IATTC MANAGES YELLOWFIN FISHERY BY MEANS OF OVERALL CATCH QUOTA, CLOSED SEASON, DEFINED REGULATORY AREA, PERMISSIBLE INCIDENTAL CATCH ALLOWANCE DURING CLOSED SEASON, AND SPECIAL ALLOCATIONS FOR SMALL VESSELS. EFFECTIVE ENFORCEMENT OF THESE MEASURES REQUIRES ABILITY TO DETERMINE LOCATIONS OF VESSELS DURING CLOSED SEASON, SINCE MANY BOATS NOW OPERATE DURING CLOSURE BEYOND COMMISSION' S REGULATORY AREA, WHERE FISHING IS NOT REGULATED - THIS MEANS THAT SYSTEM MUST PROVIDE FOR FISHERMEN TO REPORT FISHING LOCATIONS TO GOVERNMENT ENFORCEMENT OFFICIALS, WHO CAN VERIFY AND DETECT VIOLATIONS IF INDICATED. EFFECTIVE ENFORCEMENT ALSO REQUIRES SYSTEM OF PORT INSPECTION TO PREVENT LANDING OF TUNA CAUGHT IN VIOLATION OF COMMISSION' S RECOMMENDATIONS. IT IS POSSIBLE TO ENFORCE IATTC CONSERVATION

PROGRAM ONLY IF MEASURES ARE IN EFFECT TO ENSURE DETECTION AT SEA AND INSPECTION ON LAND.

2. BECAUSE OF INCREASING NUMBER OF MEMBER AND NON- MEMBER NATIONS PARTICIPATING IN EASTERN PACIFIC TUNA FISHERY ON SIGNIFICANT SCALE, BOTH US INDUSTRY AND GOVERNMENT ARE CONCERNED OVER POSSIBILITY OF NON- OBSERVANCE OF CONSERVATION MEASURES DURING 1973 CLOSED SEASON, WHICH COMMENCED MARCH 8, AND FEEL THAT ACTION MUST BE TAKEN TO PREVENT AND DETECT VIOLATIONS BY VESSELS OF ALL COUNTRIES PARTICIPATING IN FISHERY. THIS PROBLEM IS RENDERED ESPECIALLY SENSITIVE FOR US BY PROVISIONS OF US IMPLEMENTING LAW WHICH REQUIRE (1) SUSPENSION OF US REGULATIONS WHEN IT IS DETERMINED THAT FOREIGN FISHING OPERATIONS IN REGULATORY AREA CONSTITUTE SERIOUS THREAT TO ACHIEVEMENT OF OBJECTIVES OF COMMISSION' S RECOMMENDATIONS AND (2) PROHIBITION OF ENTRY INTO US OF TUNA IN ANY FORM FROM ANY COUNTRY WHEN ITS VESSELS ARE FISHING IN REGULATORY AREA IN MANNER WHICH WOULD TEND TO DIMINISH EFFECTIVENESS OF COMMISSION' S CONSERVATION RECOMMENDATIONS.

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3. FOR USE IN USG STUDY OF WHAT CAN BE DONE TO ENSURE

EFFECTIVE ENFORCEMENT, DEPARTMENT REQUESTS LATEST AND MOST COMPLETE INFORMATION THAT CAN BE OBTAINED CONCERNING HOST GOVERNMENT LAWS AND REGULATIONS PERTINENT TO IMPLEMENTATION OF IATTC CONSERVATION MEASURES AND ALSO CONCERNING HOST GOVERNMENT'S PRACTICAL CAPABILITY FOR DETECTION AT SEA AND INSPECTION IN PORT. IF NO SPECIFIC REGULATIONS EXIST, IT WOULD BE USEFUL TO KNOW OF ANY GENERAL REGULATORY AUTHORITY THAT COULD BE USED TO REGULATE VESSELS IN IATTC AREA. FACT THAT 1973 SEASON CLOSURE HAS BEEN ANNOUNCED AND USG MUST CONSIDER WHAT ACTION TO TAKE LENDS SOME URGENCY TO THIS REQUEST.

FOR MADRID: DEPT RECOGNIZES SOME DEGREE OF OVERLAP BETWEEN THIS REQUEST AND STATE 46777 WHICH POST WILL TAKE INTO ACCOUNT IN DETERMINING APPROPRIATE ACTION. ROGERS

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\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* UNCLASSIFIED

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**TAGS:** EFIS, XP  
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MEXICO  
MULTIPLE  
OTTAWA  
PANAMA  
PARIS  
SAN JOSE

THE HAGUE  
TOKYO INFO LIMA  
QUITO  
VANCOUVER

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